



# PUBLIC NOTICE

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**Report No. SCL-00418S**

**Friday June 2, 2023**

## **Streamlined Submarine Cable Landing License Applications**

### **Accepted For Filing**

The applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules. 47 CFR § 1.767. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, each applicant seeks: (a) the grant of a cable landing license; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license.

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), and section 1.767 of the rules, the Commission will take action upon these applications within forty-five (45) days after release of this public notice, unless upon further examination an application is deemed ineligible for streamlined processing.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 CFR § 1.1206. Unless otherwise specified, interested parties may file comments with respect to these applications within 14 days of this notice. Such filings will not necessarily result in an application being deemed ineligible for streamlined processing.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

## Submarine Cable Landing License

Edge Cable Holdings USA, LLC (Edge USA or Applicant) has filed an application for a license to land and operate a non-common carrier fiber-optic submarine cable system connecting the continental United States to Spain, the Anjana System. On June 1, 2023, Edge USA filed a supplement to the Application.

The Anjana System will consist of a single trunk segment that will directly connect Myrtle Beach, South Carolina to Santander, Spain. The single trunk segment is 7,121 kilometers in length and will have 24 fiber pairs, and each pair will have a design capacity of approximately 20 terabits per second (Tb/s). The Applicant has not yet made a decision about the initial lit capacity of the system and expects the Anjana System to commence commercial service during the fourth calendar quarter of 2024.

Edge USA and its affiliates will own and control the sole segment of the Anjana System as follows: (1) Edge USA will hold a 100% equity and 100% voting interest in the portion in U.S. territory; (2) Edge Network Services Limited (Edge), an affiliate of Edge USA, will hold a 100% equity and a 100% voting interest in the portion in international waters; and (3) Edge Network Infrastructure Services Limited (Edge Spain), an affiliate of Edge USA, will hold a 100% equity and a 100% voting interest in the portion in Spanish territory.

The cable landing stations for the Anjana System will be owned and controlled as follows: (1) Myrtle Beach, South Carolina - DC Blox, Inc. (DC Blox) will own a new cable landing station, and Edge USA will be the U.S. landing party and control use of the cable landing station; and (2) Santander, Spain - Telxius Cable Espana, S.L.U. will own a new cable landing station, and Edge Spain will be the Spain landing party.

Edge USA requests a waiver of section 1.767(h)(1) of the Commission's rules so that DC Blox is not required to be an applicant for a U.S. cable landing license for the Anjana System. Section 1.767(h)(1) requires that "[a]ny entity that owns or controls a cable landing station in the United States" shall be "applicants for, and licensees on a cable landing license." 47 CFR § 1.767(h)(1). Edge USA asserts that DC Blox would have no ability to affect significantly the operation of the Anjana cable system, and inclusion of DC Blox as an applicant is not necessary to ensure compliance by Edge USA with the Cable Landing License Act, the Commission's cable landing license rules, or the terms of any cable landing license. According to Edge USA, DC Blox will provide Edge USA with certain limited services that would not provide DC Blox with any ability to affect significantly the Anjana System's operation. Applicant states that it will enter into a long-term lease with DC Blox for colocation space for power feed equipment and that Edge USA will retain operational authority over the Anjana System landing facilities and provide direction to DC Blox in all matters related to the Anjana System. The agreement with DC Blox is expected to have an initial term, with extension options at its sole discretion, for a total of 25 years, coextensive with the term of the cable landing license.

Edge USA proposes to operate the Anjana System on a non-common carrier basis. Applicant states that capacity on the Anjana System will either be used by Edge USA and its affiliates to meet their own internal needs for bandwidth, or made available to particular carrier and enterprise customers pursuant to individually-negotiated indefeasible rights of use (IRUs), the terms of which would vary depending on the characteristics and needs of the particular capacity purchaser. Edge USA also asserts that Anjana will not pose a competitive concern since it will be competing vigorously with existing providers' facilities cable systems on the U.S.-Spain route (Grace Hopper and the other owners of the Marea system) and on broader U.S.-European routes (AEC-1, Amities, Apollo, Atlantic Crossing-1, Dunant, EXA North and South, FLAG Atlantic-1, TGN Atlantic, and Yellow systems).

Edge USA, a Delaware limited liability company, is a direct, wholly owned subsidiary of Meta, a Delaware corporation. As of March 31, 2023, the 10% or greater direct or indirect interest holders of Edge USA are: (1) Meta (100% economic and voting interest in Edge USA); (2) CZI Holdings, LLC (CZI Holdings), a Delaware limited liability company (13.38% of Meta's outstanding securities on an as-converted to Class A common stock basis and 60.03% voting interest in Meta); and (3) Mark Zuckerberg, a U.S. citizen. As of March 31, 2023, Mr. Zuckerberg, Chairman of the board of directors and CEO of Meta, held 61.1% voting interest based on shares in which Mr. Zuckerberg is deemed to have beneficial ownership and, on an as-converted to Class A common stock basis, held approximately 13.66% economic interest in Meta. Mr. Zuckerberg exercises voting power through (a) the shares held of record by Mr. Zuckerberg, Trustee of The Mark Zuckerberg Trust dated July 7, 2006, a California trust (2006 Trust); (b) CZI Holdings; (c) Chan Zuckerberg Initiative Advocacy (CZIA), a California nonprofit public benefit corporation; and (d) the Chan Zuckerberg Initiative Foundation (CZIF), a private foundation formed pursuant to a trust governed by the laws of California. Mr. Zuckerberg has sole voting and investment power over the securities held by CZIF and CZIA. Mr. Zuckerberg can exercise voting power in Meta through his power to cause the voting of shares held of record by CZIF and CZIA. Mr. Zuckerberg has sole voting and investment power over the 599,306 shares of Meta's Class A common stock and 1,908,602 shares of Meta's Class B common stock held of record by CZIF, and 232,400 shares of Meta's Class A common stock held of record by CZIA. Mr. Zuckerberg exercises sole voting power over the shares of Meta held by CZIF in his role as sole Trustee of CZIF, and sole voting power over the shares of Meta held by CZIA through Chan Zuckerberg Initiative, LLC (CZI), a Delaware limited liability company, which has the sole power to appoint and remove directors of CZIA. Mr. Mark Zuckerberg is Trustee of the 2006 Trust, which is the sole member of CZI Holdings, which in turn is the sole member of CZI. Mr. Mark Zuckerberg has no pecuniary interest in the Meta shares held by CZIF or CZIA. Mr. Zuckerberg previously held an irrevocable proxy over certain shares of Meta's common stock beneficially owned by shareholders affiliated with Dustin Moskovitz pursuant to a voting agreement between Mr. Zuckerberg, Meta, and such shareholders, which agreement has terminated. Meta's Class A common stock is publicly traded on the Nasdaq Stock Market. According to the application, as of March 31, 2023, no other entity or individual holds a 10% or greater direct or indirect equity or voting interest in Meta or Edge USA.

Edge USA certifies that it accepts and will abide by the routine conditions specified in section 1.767(g) of the Commission's rules. 47 CFR § 1.767(g).

#### REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See CFR §§ 1.2001-1.2003.

By this notice, we inform the public that submarine cable landing license applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, extraordinary circumstances result where Executive Branch agencies petition the Commission to defer action on an application pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may be removed from streamlined processing and may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.